

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7573
BILL NUMBER: SB 552

DATE PREPARED: Jan 14, 1999
BILL AMENDED:

SUBJECT: Court powers concerning parental involvement.

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FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill allows a school corporation or special school to obtain a court order when a person having care of a dependent student fails to participate in a disciplinary proceeding or action involving the person's child. It expands the programs that a juvenile court may require a parent to attend with a child who is adjudicated a delinquent child or child in need of services (CHINS) and makes related procedural changes. It also specifies that a parent, guardian, or custodian of a delinquent child who fails to participate in a program of care, treatment, or rehabilitation as ordered by the juvenile court may be found in contempt of court.

Effective Date: July 1, 1999.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: This bill allows a school corporation to join in a juvenile proceeding to obtain or enforce a court order requiring parental participation in a disciplinary action or a school proceeding involving a child who has been designated with a CHINS or delinquency status by the court.

It also provides for a school to initiate a specific action requesting the court to order parental participation when children who are the subject of school disciplinary actions have neither CHINS nor delinquent status.

Because it is not anticipated that schools will utilize this method of obtaining parental participation very often, any additional filings under this specific cause of action will have a minimal impact on the caseloads of trial courts. The operating expenses of the trial courts are paid by the County General Fund.

Under this proposal, a parent who refuses to comply with a court's order to participate in a school disciplinary action may be found in contempt of court. Local expenditures for jail operations may increase if parents are found in contempt of court and the presiding judge orders them to be detained in jail. The length of detention for a contempt of court order is at the judge's discretion. The average cost to detain an individual in a jail is approximately \$44 per day.

Explanation of Local Revenues: This bill allows the juvenile court to order the child's parent, guardian or custodian to pay a participation monitoring fee ranging \$5 to \$15 per month until the order expires or is otherwise terminated instead of the usual court cost fees. The fee is to be collected by the probation department and deposited by the county auditor in the county user fee fund.

State Agencies Affected:

Local Agencies Affected: School corporations and special schools; jails; courts with juvenile jurisdiction; probation departments; county auditors.

Information Sources: Kevin McDowell, General Counsel, Department of Education, (317) 232-6647; Department of Correction.